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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MALIBU MEDIA, LLC, Plaintiff, v. JOHN DOE subscriber assigned IP address 68.196.74.42 Defendant.	Case No. 2:15-cv-04268-JLL-JAD

JOINT DISCOVERY PLAN

1. Set forth a factual description of the case. Include the causes of action and affirmative defenses asserted.

   Plaintiff: Plaintiff has sued Defendant for direct copyright infringement of ninety five [95] of Plaintiff's copyrighted movies, pursuant to 17 U.S.C. §§ 106 & 501, based on Defendant's actions of illegally downloading Plaintiff's works through use of the BitTorrent File Distribution Network. Defendant denies such infringement.

   Defendant:
   Defendant denies downloading or otherwise infringing on any of plaintiff's copyrighted works.

2. Have settlement discussions taken place? Yes _____ No __X

   The parties will discuss the possibility of settlement in this matter and if/when a settlement is reached, Plaintiff and Defendant will promptly notify the Court of such.

3. The parties **have not** exchanged the information required by Fed. R. Civ. P. 26(a)(l). If not, state the reason therefor.

   The parties agree to exchange the information required by Fed. R. Civ. P. 26(a)(l) by no later than **April 7, 2016**.

4. Describe any discovery conducted other than the above disclosures.

   The parties have not exchanged initial discovery requests in this case.

5. Generally, dispositive Motions cannot be filed until the completion of discovery. Describe any Motions any party may seek to make prior to the completion of discovery. Include any jurisdictional Motions and Motions to Amend.

6. The parties proposed the following:

   (a) Discovery is needed on the following subjects:

   The parties currently intend to seek discovery with respect to all allegations contained in the Complaint and any amendments thereto, and in any Answer and Affirmative Defenses filed by Defendants.

   Plaintiff:

   In addition to the voluntary initial disclosures, Plaintiff intends to take Defendant's deposition, the deposition of persons identified by Defendant in his answers to interrogatories, Defendant's neighbors, and Defendant's Internet Service Provider.

   Defendant:

   Similarly, defendant intends to take the depositions of plaintiff's corporate representatives and/or principals, and defendant's expert(s). Defendants also intend to propound Interrogatories and a Notice to Produce Documents upon plaintiff as outlined below.

   (b) Should discovery be conducted in phases? If so, explain.

   It is the parties position that discovery should not be conducted in phases.

a) Maximum of 25 Interrogatories by each party to the other party.

b) Maximum of 10 depositions to be taken by each party.

c) Plaintiff's expert report due on: **September 8, 2016.**

d) Defendant's expert report due on: **October 7, 2016.**

e) Motions to amend or to add parties will be filed by: **May 15, 2016.**

f) Dispositive motions to be served within 30 days of completion of discovery.

g) Factual Discovery to be completed by: **November 15, 2016.**

h) Expert Discovery to be completed by: **November 15, 2016.**

i) Set forth any special discovery mechanism or procedure requested, including data preservation and protective orders:

NONE

j) A pretrial conference may be taken place on: _______________ (To be set by Court).

k) In its complaint, Plaintiff has requested a trial by jury.

l) Trial Date: The parties estimate this gas will be ready for trial in **November, 2016.**

7. Do you anticipate any discovery problem(s)? **NO**
If so, explain.

8. Do you anticipate any special discovery needs (i.e., videotape/telephone depositions problems with out-of state witnesses or documents, etc.)? **NO**

9. State whether this case is appropriate for voluntary arbitration (pursuant to L. Civ. R. 201.1 or otherwise), mediation (pursuant to L. Civ. R. 301.l or otherwise), appointment of a special master or other special procedure. If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of depositions, after disposition of dispositive motions, etc.).

NO

10. Is this case appropriate for bifurcation? **NO**

11. We **do not** consent to the trial being conducted by a Magistrate Judge.

Dated: February 25, 2016

APPROVED BY:

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